

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MERIT CAPITAL GROUP, LLC, :

Plaintiff, :

-against- :

TRIO INDUSTRIES MANAGEMENT, LLC, TRIO :
INDUSTRIES HOLDINGS, LLC, EVAN R. :
DANIELS and ROBERT E. GYEMANT, :

Defendants. :

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TRIO INDUSTRIES MANAGEMENT, LLC and :
TRIO INDUSTRIES HOLDINGS, LLC, :

Third Party Plaintiffs, :

-against- :

HARVEY M. BLOCH, ALFRED SALAZAR and :
THOMAS J. MANCUSO, :

Third Party Defendants. :

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Index No. 04 CV 7690(RCC)

NOTICE OF APPEARANCE OF
CO-COUNSEL

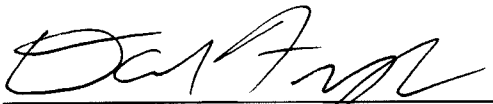
JUDGE RICHARD C. CASEY

PLEASE TAKE NOTICE that David S. Frydman, Esq., Frydman LLC, 18 East
48th Street, 10th Floor, New York, New York 10017, (212) 355-9100, hereby appears as

co-counsel with Thompson Hine LLP as attorney of record for defendant Robert E. Gyemant.

Dated: New York, New York
January 9, 2006

FRYDMAN LLC

By: 
David S. Frydman (DF-8095)
Incoming Co-Counsel for Defendant
Robert E. Gyemant
18 East 48th Street, 10th Floor
New York, New York 10017
(212) 355-9100

AFFIRMATION OF SERVICE

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

DAVID S. FRYDMAN, an attorney admitted before the Courts of New York State, affirms under the penalty of perjury, as follows:

1. I am not a party to this action, am over 18 years of age, and reside in New York State.

2. On January 9, 2006, I served a true copy of the enclosed Notice of Appearance of Co-Counsel, by hand delivery upon:

Marc R. Rosen, Esq.
Gersten Savage LLP
Attorneys for Plaintiffs and Third-Party Defendants
600 Lexington Avenue
New York, NY 10022

Affirmed to January 11, 2006



DAVID S. FRYDMAN

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

LYNETTE PEREZ, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and reside in New York State.

2. On January 11, 2006, I served a true copy of the enclosed Notice of Appearance of Co-Counsel, by regular mail upon:

James P. Jalil, Esq.
Thompson Hine LLP
Attorneys for Defendants
One Chase Manhattan Plaza
New York, NY 10005

Marc R. Rosen, Esq.
Gersten Savage LLP
Attorneys for Plaintiffs and Third-Party Defendants
600 Lexington Avenue
New York, NY 10022

At the addresses designated by counsel by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the care and custody of the United States Postal Service within the State of New York.


LYNETTE PEREZ

Sworn to before me this
11th day of January, 2006


Notary Public

DAVID S. FRYDMAN
Notary Public, State of New York
No. 02FR4992219
Qualified in Westchester County
Commission Expires February 24, 2012 